

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

WADE HAMPTON WHEELER,)	
Plaintiff,)	Civil Action No. 7:12-cv-00359
)	
v.)	<u>FINAL ORDER</u>
)	
MIDDLE RIVER REGIONAL JAIL,)	By: Norman K. Moon
Defendant.)	United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that Wheeler's 42 U.S.C § 1983 action is **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and the Clerk is **DIRECTED** to strike this action from the active docket of the court.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to the parties.

ENTER: This 13th day of September, 2012.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE